

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED
MAR - 1 2016
U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

4 : 16 MC 00128 JMB
No.

ONE 2006 JEEP GRAND CHEROKEE,)

VIN: 1J8HR78346C341479,)

ONE 2005 PONTIAC GRAND PRIX,)

VIN: 2G2WC52C651329470,)

ONE 2004 CHEVROLET SILVERADO,)

VIN: 2GCEK19N141150052, and)

ONE 2004 PONTIAC GTO,)

VIN: 6G2VX12G14L178092,)

Defendants.)

MOTION TO EXTEND TIME TO FILE COMPLAINT FOR FORFEITURE

Comes now the United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Julia M. Wright, Assistant United States Attorney for said District, and respectfully moves this Court to extend the time in which the United States is required to file a verified complaint for forfeiture and in support of its Motion states as follows:

1. On August 26, 2015, Anthony Jordan was indicted in cause number 4:15CR404 HEA on charges of possession with the intent to distribute cocaine, a Schedule II controlled substance drug, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

2. On August 27, 2015, during the course of the Jordan investigation, the Federal Bureau of Investigation seized the following property:

- a. One 2006 Jeep Grand Cherokee, VIN: 1J8HR78346C341479, and
- b. One 2005 Pontiac Grand Prix, VIN: 2G2WC52C651329470.

3. On September 16, 2015, during the course of the Jordan investigation, the Federal Bureau of Investigation seized the following property:

- a. One 2004 Chevrolet Silverado, VIN: 2GCEK19N141150052, and
- b. One 2004 Pontiac GTO, VIN: 6G2VX12G14L178092.

4. All of the written notice of intent to forfeit required by Title 18, United States Code, Section 983(a)(1)(A) to be sent by the Federal Bureau of Investigation to interested parties has been sent.

5. The time has expired for any person to file an administrative claim to the property under Title 18, United States Code, Section 983(a)(2)(A)-(E).

6. The only people to file an administrative claim to the defendant property with the Federal Bureau of Investigation were Anthony Jordan, Bruce Rhodes and Daren White-El. Mr. Rhodes filed a claim for the 2006 Jeep Grand Cherokee with the Federal Bureau of Investigation on December 10, 2015. Mr. Jordan filed a claim for the 2005 Pontiac Grand Prix with the Federal Bureau of Investigation on December 14, 2015. Mr. Jordan filed a claim for the 2004 Pontiac GTO with the Federal Bureau of Investigation on December 17, 2015. Mr. White-El filed a claim for the 2004 Chevrolet Silverado with the Federal Bureau of Investigation on December 17, 2015.

7. Title 18, United States Code, Section 983(a)(3)(A) provides as follows:

Not later than 90 days after a claim has been filed, the Government shall file a complaint for forfeiture in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims or return the property pending the filing of a complaint, except that a court in the district in which the complaint will be filed ***may extend the period for filing a complaint for good cause shown or upon agreement of the parties.***

8. Accordingly, absent an order extending its time, the United States must file a civil complaint for forfeiture of the above-captioned property on or about March 10, 2016.

9. The United States has an ongoing criminal investigation regarding the conduct giving rise to the forfeiture of the property. The forfeiture of the defendant property may be achieved as part of the criminal case, obviating the need to file a civil complaint for forfeiture against the property.

10. Due to the discovery requirements in the instant case, civil discovery may adversely affect the ability of the Government to prosecute the criminal case. Continuation of this proceeding may also place unnecessary burdens on now-indicted defendants' rights against self-incrimination.

11. The requested extension is in the interest of justice insofar as it avoids the need for duplicative actions and thereby conserves judicial and other governmental resources.

12. A proposed order is included herewith for the Court's consideration.

WHEREFORE, the Government respectfully requests that the United States' time to file a civil complaint for forfeiture of the defendant property be extended until the disposition of criminal case number 4:15CR404 HEA.

Respectfully submitted,

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United States Attorney

/s/ Julia M. Wright

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CERTIFICATE OF SERVICE

I hereby certify that on March 1, 2016, a copy of the foregoing was sent via first-class mail, postage prepaid and addressed to the following:

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